

## AIR TRANSPORT SERVICES

*Exchanges of notes at Lisbon June 28, 1947, amending agreement of  
December 6, 1945*

*Entered into force June 28, 1947*

61 Stat. 3185; Treaties and Other  
International Acts Series 1656

*The American Ambassador to the Minister of Foreign Affairs*

EMBASSY OF THE  
UNITED STATES OF AMERICA  
LISBON, June 28, 1947

### EXCELLENCY:

I have the honor to confirm that it is mutually agreed by the Governments of the United States of America and of Portugal that the Annex to the Air Transport Agreement, between the two Governments, concluded on December 6, 1945,<sup>1</sup> shall be amended to read as follows:

### SECTION I

A. Airlines of the United States of America authorized under the present agreement are accorded rights of transit and non-traffic stop in Portuguese territory. The right to pick up and discharge international traffic in passengers, cargo and mail at the Azores, Lisbon and Macao is granted on the following routes via intermediate points in both directions:

1. The United States to the Azores and thence (a) to London and beyond, on a route without stops in the Iberian Peninsula, and (b) to Lisbon and thence (a,) to London and (b,) to Barcelona and points beyond.

2. The United States to Lisbon (the airline operating this route will have the right of non-traffic stop at the Azores) thence to Madrid and points beyond.

3. The United States to the Azores and points beyond to the Union of South Africa.

4. The United States via intermediate points in the Pacific to Macao thence to Hong-Kong (and/or Canton).

In addition to the routes enumerated above, airlines of the United States of America are accorded the right of non-traffic stop at the Azores on trans-

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<sup>1</sup> EAS 500, *ante*, p. 351.

Atlantic routes between the United States and the Continent of Europe, including the British Isles, on routes without stops in the Iberian Peninsula.

B. Airlines of Portugal authorized under the present agreement are accorded rights of transit and non-traffic stop in the territory of the United States as well as the right to pick up and discharge international traffic in passengers, cargo, and mail at New York, Boston and Miami on the following routes via intermediate points in both directions:

1. Lisbon via the Azores (a) to Bermuda, New York City and Boston, or (b) to Gander, Boston and New York City.
2. Lisbon via the Azores and Bermuda to Miami and beyond.

## SECTION II

The contracting parties agree on the following:

1. That the air transport facilities available to the travelling public should bear a close relationship to the requirements of the public for such transport.

2. There shall be a fair and equal opportunity for the airlines of the two nations to operate on any route between their respective territories covered by the Agreement and this Annex.

3. That, in the operation by the air carriers of either Government of the trunk services described in this Annex, the interest of the air carriers of the other Government shall be taken into consideration so as not to affect unduly the services which the latter provides on all or part of the same routes.

4. It is understood by both Governments that services provided by a designated airline under the Agreement and this Annex shall retain as their primary objective the provision of capacity adequate to the traffic demands between the country of which such airline is a national and the country of ultimate destination of the traffic. The right to embark or disembark on such services international traffic destined for and coming from third countries at a point or points on the routes specified in this Annex shall be applied in accordance with the general principles of orderly development to which both Governments subscribe and shall be subject to the general principle that capacity should be related:

(a) To traffic requirements between the country of origin and the countries of destination;

(b) To requirements of through airline operation; and

(c) To the traffic requirements of the area through which the airline passes after taking account of local and regional services.

Accept, Excellency, the assurances of my highest consideration.

JOHN C. WILEY

His Excellency

Dr. JOSÉ CAEIRO DA MATA  
*Minister of Foreign Affairs*  
*Lisbon*

*The Minister of Foreign Affairs to the American Ambassador*

[TRANSLATION]

LISBON, June 28, 1947

MR. AMBASSADOR:

I have the honor to confirm to Your Excellency that it has been mutually agreed between the Governments of Portugal and the United States of America that the Annex to the Air Transport Agreement between the two Governments, signed on December 6, 1945, shall be amended to read as follows:

[For text, see U.S. note, above.]

I avail myself of the opportunity to present to Your Excellency the assurances of my highest consideration.

JOSÉ CAEIRO DA MATA

His Excellency

JOHN COOPER WILEY,

*Ambassador of the United States of America*

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*The American Ambassador to the Minister of Foreign Affairs*EMBASSY OF THE  
UNITED STATES OF AMERICA

LISBON, June 28, 1947

EXCELLENCY:

It is mutually agreed by the Governments of the United States of America and of Portugal that, in addition to the routes described in the Annex to the Air Transport Agreement between the United States of America and Portugal, dated December 6, 1945, airlines of the United States of America operating on the following route are accorded the rights of transit and non-traffic stop in Portuguese territory:

A. The United States via the East Coast of South America and intermediate points to Johannesburg and Capetown.

It is equally agreed that airlines of Portugal operating on the following route are accorded the rights of transit and non-traffic stop in United States territory:

B. Lisbon, via the Azores and/or Gander to Montreal.

I avail myself of this opportunity to express to Your Excellency the assurances of my high consideration.

JOHN C. WILEY

His Excellency

Dr. JOSÉ CAEIRO DA MATA

*Minister of Foreign Affairs**Lisbon*

*The Minister of Foreign Affairs to the American Ambassador*

[TRANSLATION]

LISBON, June 28, 1947

MR. AMBASSADOR:

It is mutually agreed between the Governments of Portugal and the United States of America that, in addition to the routes described in the Annex to the Air Transport Agreement between Portugal and the United States of America, signed on December 6, 1945, rights of transit and non-traffic stop in Portuguese territory shall be granted to airlines of the United States which operate the following route:

A. United States via the east coast of South America and intermediate points, to Johannesburg and Capetown.

It is likewise agreed that rights of transit and non-traffic stop in the territory of the United States shall be granted to airlines of Portugal which operate the following route:

B. Lisbon via the Azores and/or Gander to Montreal.

I avail myself of this opportunity to present to Your Excellency the assurances of my highest consideration.

JOSÉ CAEIRO DA MATA

His Excellency

JOHN COOPER WILEY

*Ambassador of the United States of America*